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ACADEMIC APPOINTMENTS

Permanent Appointments:

Vanderbilt University, Nashville, Tennessee, 2004-present.
Charles B. Cox III and Lucy D. Cox Family Chair in Law and Liberty, 2013 to present.
Professor of Law, 2004 to present (*Visiting Professor, Spring 2004)*.
Professor of Political Science, 2008 to present (*Secondary*).
Tarkington Chair in Teaching Excellence, 2012-2013.
FedEx Research Professor of Law, 2007-2008.

Cecil D. Branstetter Litigation & Dispute Resolution Program, Vanderbilt University.
Director, 2011 to present.

Northwestern University, Chicago, Illinois, 2001-2004.
Professor of Law (with tenure), 2001 to 2004 (*Visiting Professor, Fall 2000*).
Benjamin Mazur Research Professor, 2002-2003.
Faculty Associate, Institute for Policy Research, 2001 to 2004.
Faculty Associate, Center for Legal Studies, 2002 to 2004.

University of Missouri, Columbia, Missouri, 1996-2001.
Associate Professor of Law (*tenure awarded in 2000*), 1996 to 2001.
Adjunct Associate Professor of Political Science, 1998 to 2001.

Visiting (only) Appointments:

University of Alabama, Visiting Professor of Law (short course), Fall 2004
George Mason University School of Law, Visiting Associate Professor, Spring 2000.

Teaching Honors

Vanderbilt Outstanding First Year Teacher Award 2004, 2010, 2012, 2013, 2015.
Northwestern University School of Law Outstanding First Year Teacher 2002.
University of Missouri Vice-Chancellor's Excellence in Education Award 1999
University of Missouri Women's Law Association Award 1999.

Courses (taught since 2005): Contracts, Civil Procedure, Commercial Law, Evidence, Life of the Law: Introduction to the Study of Law (required 1L and LLM course).

SCHOLARSHIP

Books

K: A COMMON LAW APPROACH TO CONTRACT LAW (with Russell Korobkin) (Aspen 2012); (Aspen 2d ed. 2016).

STATUTORY SUPPLEMENT FOR FIRST-YEAR CONTRACTS (with Russell Korobkin) (Aspen 2012; 2013; 2014; 2015)

WHAT EVERY LAW STUDENT *REALLY* NEEDS TO KNOW: AN INTRODUCTION THE STUDY OF LAW (with Suzanna Sherry) (Aspen 2009); (Aspen 2nd ed. 2016).

PUBLIC INTEREST LAW: AN ANNOTATED BIBLIOGRAPHY AND RESEARCH GUIDE Pp. xviii, 213 (1992) (with Lee Epstein and Joseph F. Kobylka)

Articles & Book Chapters

Article I Judges in an Article III World: The Background and Attributes of U.S. Magistrate Judges, *Nevada Law Journal* (2016) (with Albert H. Yoon)

The Role of Personal Attributes and Backgrounds on Judging, *in* THE OXFORD HANDBOOK OF THE AMERICAN LAW AND JUDICIARY, eds. Lee Epstein & Stefanie Lindquist (*forthcoming* Oxford University Press 2015) (with Taylor A. Weaver).

The Labor Market for New Law Professors, 11 JOURNAL OF EMPIRICAL LEGAL STUDIES 1 (2014) (with Albert H. Yoon)

- Top 10 daily download list for SSRN Empirical Studies eJournal and several substance area SSRN topics.
- Findings discussed in the Wall St. J., Nat'l L.J., and Inside Higher Ed.

The Judges of the U.S. Judicial Panel on Multidistrict Litigation, 97 JUDICATURE 196 (2014) (with Margaret S. Williams)

- Top 10 daily download list for SSRN Federal Courts & Jurisdiction eJournal

Who Will Manage Complex Litigation? The Decision to Transfer and Consolidate Multidistrict Litigation, JOURNAL OF EMPIRICAL LEGAL STUDIES (2013) (with Margaret S. Williams)

- Top 10 daily download list for SSRN Federal Courts & Jurisdiction eJournal
- Discussed on various blogs, including academic and practitioner blogs on civil procedure, complex litigation, mass torts, and federal courts.

The New Old Legal Realism, 105 NORTHWESTERN LAW REVIEW 689-735 (2011) (with G. Mitu Gulati & Anne C. McGinley)

Remaking the United States Supreme Court in the Courts' of Appeals Image, 58 DUKE LAW JOURNAL 1440-1475 (2009) (with Chris Guthrie) (symposium)

Mr. Sunstein's Neighborhood: Won't You Be Our Co-Author? THE GREEN BAG ALMANAC & READER 213-230 (2009) (with Paul Edelman)

"The Threes": Reimagining Supreme Court Decision Making, 61 VANDERBILT LAW REVIEW 1825-1860 (2008) (with Chris Guthrie)

From Judge to Justice: Social Background Theory and the U.S. Supreme Court, 86 NORTH CAROLINA LAW REVIEW 1333-1368 (2008) (symposium)

- Featured in Adam Liptak, "Judging a Court with Ex-Judges Only," N.Y. Times, Feb. 17, 2009

Chief Judges: The Limits of Attitudinal Theory and Possible Paradox of Managerial Judging, 61 VANDERBILT LAW REVIEW 1-61 (2008) (with Albert H. Yoon)

Sunstein 1s and 2s, THE GREEN BAG ALMANAC 473-481 (2008) (with Paul Edelman)

Six Degrees of Cass Sunstein: Collaboration Networks in Legal Scholarship, 11 GREEN BAG 2D 19-36 (2007) (with Paul Edelman)

An Empirical Study of Empirical Legal Scholarship: The Top Law Schools, INDIANA LAW JOURNAL (2005) (symposium)

- Updated on ELS Guest Blog, September 25-29, 2006 (www.elsblog.org)

The Futility of Appeal: Disciplinary Insights Into the "Affirmance Effect" on U.S. Courts of Appeals, FLORIDA STATE LAW REVIEW (2005) (with Chris Guthrie) (symposium).

Other Disciplines, Methodologies, and Countries: Studying Courts and Crisis, 69 MISSOURI LAW REVIEW 951 (2004) (symposium).

Induced Litigation, 98 NORTHWESTERN UNIVERSITY LAW REVIEW 545-578 (2004) (with Chris Guthrie).

The Federal Court System: A Principal-Agent Perspective, 47 ST. LOUIS UNIVERSITY LAW JOURNAL. 819-834 (2003) (with Albert H. Yoon) (symposium).

Judicial Independence and the Ambiguity of Article III Protections, 64 OHIO STATE LAW JOURNAL 221-247(2003) (symposium).

Joining Forces: The Role of Collaboration in the Development of Legal Thought, 52 JOURNAL OF LEGAL EDUCATION 559-582 (2002) (with Chris Guthrie).

How Constitutional Law is Made, 100 MICHIGAN LAW REVIEW 1401-1425 (2002) (book review essay) (with Robert J. Pushaw).

Supreme Court Monitoring of Courts of Appeals En Banc, 9 SUPREME COURT ECONOMIC REVIEW 171-204 (2001) (with Michael E. Solimine).

- Reprinted in Lee Epstein, *The Economics of Judicial Behaviour* (Edward Elgar 2012).

Court Fixing, 43 ARIZONA LAW REVIEW 9-62 (2001).

Circuit Breaker: Deciphering Courts of Appeals Decisions Using the U.S. Courts of Appeals Data Base, 83 JUDICATURE 240-247 (2000) (with Reginald Sheehan) (symposium).

An Empirical Evaluation of Specialized Law Reviews, 26 FLORIDA STATE LAW REVIEW 813-836

(1999) (with Chris Guthrie).

In Defense of Author Prominence: A Reply to Crespi and Korobkin, 26 FLORIDA STATE LAW REVIEW 877-896 (1999) (with Chris Guthrie).

The Dynamics and Determinants of the Decision to Grant En Banc Review, 74 WASHINGTON LAW REVIEW 213-274 (1999).

- Quoted in *Newdow v. U.S. Congress*, 328 F.3d 466 (9th Cir. 2003) (Reinhardt, J., concurring in denial of en banc).

Developing a Positive Theory of Decisionmaking on U.S. Courts of Appeals, 58 OHIO STATE LAW JOURNAL 1635-1696 (1998).

On the Nature of Supreme Court Decision Making, 86 AMERICAN POLITICAL SCIENCE REVIEW 323-337 (1992) (with Lee Epstein).

- Reprinted in 1995. THE INTERNATIONAL LIBRARY OF POLITICS AND COMPARATIVE GOVERNMENT, Volume 1, ed. Alan Ware, ed. Hampshire, UK: Ashgate.
- Listed in 1999. *The Top 25 American Political Science Review Articles Most Frequently Downloaded from JSTOR*, PS, (September): 654.
- Reprinted in 1995. EQUAL JUSTICE UNDER LAW: THE SUPREME COURT IN AMERICAN LIFE, ed. Kermit Hall. New York: Carlson

Secondary Break: Dealing with AIDS in Professional Sports After the Initial Response to Magic Johnson, 2 UNIV. OF MIAMI ENTERTAINMENT & SPORTS LAW REVIEW 215-240 (1992).

Women's Rights Litigation in the 1980s, 74 JUDICATURE 314-321 (1991) (with Lee Epstein).

Book Reviews and Other Writings

Understanding the Decision to Grant En Banc Review, 5(2) APPELLATE ISSUES (2006).

Judicial Entrepreneurs on the U.S. Courts of Appeals: A Citation Analysis of Judicial Influence (2006) (with Jeffrey A. Berger) [presented at Law and Positive Political Theory Symposium and available on SSRN]

Contract Law, in LEGAL SYSTEMS OF THE WORLD: A POLITICAL, SOCIAL, AND CULTURAL ENCYCLOPEDIA 259-362 (Herbert Kritzer, ed.) (2001).

Book Review, 59 JOURNAL OF ECONOMIC HISTORY 849-851 (1999) (reviewing Cornell W. Clayton & Howard Gillman eds., *Supreme Court Decision-Making: New Institutionalist Approaches* (1999)).

Line Drawn Between Money Laundering and Money Spending, 6(4) MONEY LAUNDERING LAW REPORT 1-2 (1995) (with William H. Jeffress, Jr.).

Book Review, 11 STANFORD ENVIRONMENTAL LAW JOURNAL 319-321 (1992) (reviewing Lettie Wenner, *U.S. Energy and Environmental Interest Groups: Institutional Profiles* (1990)).

Works in Progress

The Role of Personal Attributes and Backgrounds on Judging, *in* THE OXFORD HANDBOOK OF THE AMERICAN LAW AND JUDICIARY (Oxford University Press, eds. Lee Epstein & Stefanie Lindquist) (2016) (with Taylor A. Weaver).

Judicial Effectiveness and Judicial Selection (with Albert H. Yoon) (awarded a $100,000 grant from the American Constitution Society)

Designing Judicial Institutions: Special Designation Courts in the Federal Judicial System (with Margaret S. Williams)

Trying Local: The Proliferation of Local Procedural Rules in Federal Trial Courts (with Maxwell A. Sills & Samiyyah Ali)

The Bench and the Bar: Analyzing the Representativeness of State Courts (with Albert H. Yoon) (accepted for presentation at April 2016 conference)

Measuring Justice in State Courts (with Albert H. Yoon) (accepted for presentation at May 2016 conference)

Shadow Adjudication: Federal Magistrate Judges (with Albert H. Yoon) (accepted for presentation at May 2016 conference)

SELECTED PRESENTATIONS

Presenter, *Magistrate Judges and the Transformation of the Federal Bench* Conference, UNLV, Las Vegas, NV (September 2015)

Invited Speaker, *The Battle over Tennessee Amendment 1 and the Role of Courts in Social Policy*, Women's Breakfast Club of Nashville (August 2015)

Invited Speaker, Defense Research Institute Young Lawyers Division Annual Conference (June 2015)

Invited Speaker, American Constitution Society National Convention, Washington, DC (June 2015)

Invited Speaker, *The Role of Retention Elections in our Democracy*, Convening on the Future of Retention Elections, Justice at Stake and IAALS, Washington, DC (April 2015)

Invited Speaker, *Supreme Court Briefing: Williams-Yulee vs. The Florida Bar*, The National Press Club, Washington, DC (January 2015)

Shown on C-SPAN; quoted in dozens of media outlets including McClatchy newspapers, Al Jazeera America, TIME, Tampa Bay Tribune (where original case was filed) and numerous blogs.

Presenter, *Empirical Evidence on Money and State Courts*, 2014 Fair Courts State Summit (July 2014)

Quoted on Tennessee supreme court retention election in numerous media outlets including *N.Y. Times*, *Tennessean*, *Nashville Business Journal,* and numerous *Associated Press* outlets.

Presenter, *The Labor Market for Law Professors*, American Bar Foundation Meeting (May 2013)

Presenter, *Special Courts in the U.S. Judicial System*, Royal Netherlands Academy of Arts and Sciences Colloquium (Amsterdam, July 2012)

Presenter, *Thinking and Blinking on the Bench: Political Science and Psychological Theories of Judging*, Duke Law School Theories of Judging Seminar (June 2012)

Presenter, *Who Will Manage Complex Litigation?*, University of Chicago Judicial Behavior Workshop (March 2012).

Presenter, *The Market for Law Professors*, University of Houston Law School (January 2012), University of Illinois College of Law (April 2012).

Presenter, *Remaking the U.S. Supreme Court*, Measuring Judges and Justice Symposium, Duke Law Journal (February 2009); Law and Politics Colloquium, University of Texas (February 2009).

Presenter, *Becoming Judges*, Precedent and the Roberts Court Symposium, North Carolina Law Review (October 2007).

Presenter, *Supreme Court Panels?*, Faculty Workshop, Pepperdine University School of Law (February 2008); Judges Colloquium, Duke Law Schools (January 2008); Law & Positive Political Theory Colloquium, Northwestern University School of Law (September 2007).

Presenter, *Chief Judges*, Faculty Workshop, Marquette University School of Law (April 2007).

Guest Blogger, Empirical Legal Studies Blog [ELSBlog], www.elsblog.org (September 2006).

Senior Commentator, Junior Empirical Legal Studies Conference, Cornell Law (August 2006).

Presenter, *Empirical Evidence on En Banc Review*, Appellate Lawyers and Judges Conference, Appellate Judges Education Institute, San Francisco (September 2005)

Presenter, *Rethinking the Judicial Hierarchy*, Northwestern University School of Law *Law and Positive Political Theory* Symposium (April 2005)

Presenter, *An Empirical Evaluation of Empirical Legal Scholarship*, Indiana University School of Law *Next Generation of Law School Rankings* Symposium (April 2005)

Invited Participant, Liberty Fund Colloquium on Judicial Review, Montana (September 2004)

Presenter, *A Citation Analysis of Judicial Influence*, University of Alabama School of Law (October 2004) and Vanderbilt University School of Law (February 2004).

Presenter, *The Behavioral Analysis of Legal Institutions*, Florida State University (March 2004).

Commentator, *Fear and Risk in Times of Democratic Crisis*, University of Missouri School of Law (February 2004).

Presenter, *Judicial Ambition and Judicial Independence*, Washington & Lee University School of Law (February 2004).

Presenter, *Judicial Independence in the Federal Courts* panel, Perspectives on Judicial Independence Symposium sponsored by Ohio State University, the John Glenn Institute for Public Service and Public Policy, and the League of Women Voters of Ohio, Columbus, Ohio (March 2002)

Presenter, *Challenges of Collaboration*, Law & Society Association Summer Institute, Chicago (June 2001).

Panelist, *Judicial Independence at the Crossroads: Developing an Interdisciplinary Research Agenda* roundtable at the University of Pennsylvania School of Law, co-sponsored by NYU's Brennan Center for Justice and the American Judicature Society, Philadelphia (March 2001).

Panelist, *New Approaches to Empirical Legal Research*, Joint Program of Sections on Law and Social Science and Scholarship, 2001 Annual Meeting of AALS, San Francisco.

Presenter, *Court Fixing*, to faculty workshops at Case Western Reserve University School of Law (fall 2000), Florida State University Law School (fall 2000) and Northwestern University School of Law (fall 2000).

Presenter, *Seen But Not Heard: Visiting Judges on U.S. Courts of Appeals*, to faculty workshops at George Mason University School of Law (spring 2000), Northwestern University School of Law (spring 2000), and Washington University School of Law (spring 2000).

Presenter, *Why Do U.S. Courts of Appeals Grant En Banc Review?*, to faculty workshops at University of Cincinnati College of Law (fall 1999) and George Mason University School of Law (spring 1999).

Presenter, *The Dynamics and Determinants of the Decision to Grant En Banc Review*, 1998 Annual Conference on the Scientific Study of Judicial Politics, East Lansing, Michigan.

Presenter, *Modeling Judicial Behavior*, University of Missouri School of Law faculty workshop (1997).

American Political Science Association Annual Meeting: Discussant 2002; Panelist 2005; Discussant 2008.

Association of American Law Schools Annual Meeting: Plenary panel: 2006; Research Committee panel: 2008; Law and Social Sciences section Panelist 2001, 2005, 2007.

Annual Conference on Empirical Legal Scholarship: Paper presenter 2007; Discussant 2007.

Law & Society Association Annual Meeting: Paper presenter 1998, 1999, 2002, 2004 (2), 2006; Session Organizer and Chair 1999, 2000, 2002; Discussant 1998, 2005.

Midwest Political Science Association Annual Meeting: Panel Chair 2002, 2013; Paper presenter 1991, 1992, 1997, 2000, 2001, 2002, 2004, 2013; Discussant 2000, 2004.

EDUCATION

Washington University, M.A. in Political Science, 2011.

Stanford Law School, J.D. 1992.
Editor-in-Chief, Stanford Environmental Law Journal; Member, Stanford Law Review

Southern Methodist University, 1989
B.A. (Political Science *with distinction*) & B.S. (Economics), *summa cum laude*.
Phi Beta Kappa (elected as a junior), Dedman College Outstanding Senior, Truman Scholar

PRIOR LEGAL EMPLOYMENT

Miller, Cassidy, Larroca & Lewin, Washington, D.C., Associate, November 1993 - June 1996.

Hon. Francis D. Murnaghan, Jr., U.S. Court of Appeals for the Fourth Circuit, Baltimore.
Judicial law clerk, September 1992 - August 1993.

PROFESSIONAL SERVICE and MEMBERSHIPS

Law School & University Service

Vanderbilt University

Law School Service: Ad Hoc Tenure & Promotion Candidate Committee (Chair 2011-2012; 2013-2014); Faculty Appointments Committee (2005-2007, 2008-2009, 2009-2010, 2010-2011, 2012-2013, 2015-2016; Full Committee Chair 2008-2009; Entry-Level Chair, 2005-2006); Admissions Committee (2004-05); Curriculum Committee (2013-2014); Judicial Clerkship Advisor (2005); Vandy Law Dems Faculty Sponsor (2008-); Vanderbilt Law Review Faculty Advisor (2010-2013); Vanderbilt Second Amendment Club Faculty Sponsor (2010-); The Vent [Student Parody Publication] Faculty Co-Advisor (2011-); Vanderbilt Law Students for Reproductive Justice Advisor (2013-).

Political Science Service: Co-chair, Gbemende Johnson Dissertation Committee; Affiliated Faculty, Center for the Study of Democratic Institutions

University Service: Promotion & Tenure Review Committee (2014-2017; Chair, 2015-2016); University Trans-Institutional Programs (TIPs) Council (2014-); Co-Chair, Steering Committee of the Academic Planning Group for Trans-Institutional Programs (2013-2014); Ad Hoc Faculty Grievance Committee (2013); Faculty Senate (2005-2007); Honor Scholarships Advisory Council (2005-2007); *Undergraduate Research Journal* Advisory Board (2005-2006); COPC Economic Development Committee (2005)

Northwestern University

Entry-Level Appointments Committee (Chair, 2003-04); Lateral Appointments Committee (2001-03), Judicial Clerkship Committee (2001-02).

University of Missouri
Intercollegiate Athletic Committee (Vice-Chair); various law school committees; Faculty Advisor to various law school groups and an undergraduate sorority (Delta Delta Delta).

Professional Associations & Other Organizations

***Journal of Legal Education*,** Editorial Board (2012 – 2015)

Judicature, Editorial Board (2013-2014)

Law School Admissions Council, Subcommittee on Grants: Member (2007 – 2015)

American Constitution Society Nashville Chapter, Advisory Board, 2014-present; Supreme Court Events Co-Chair, 2010-11.

American Law Institute: Member (2008 – present)

American Political Science Association,
Law & Courts Lifetime Achievement Award Selection Committee: Member (2009)

Association of American Law Schools
Committee on Research: Member (2006 – 2009)
Consulting Group on Empirical Research (1997-2000)
Law & the Social Sciences Section: Chair (2006); Executive Committee (2002-2007)

Law & Society Association
Student Paper Awards Committee, 2010-11
Article Prize Committee, Chair, 2016

SSRN, Law & Courts Abstracts Board.

Referee, National Science Foundation, Division of Social, Behavioral and Economic Research; American Journal of Political Science; American Politics Quarterly; American Political Science Review; British Journal of Political Science; Conference on Empirical Legal Studies; Journal of Law & Courts; Journal of Empirical Legal Studies; Journal of Law, Economics & Organization; Journal of Law & Social Inquiry; Journal of Politics; Law & Society Review; Perspectives on Politics; and Political Research Quarterly.

Bar Admissions: Maryland (inactive), District of Columbia (inactive), U.S. Court of Appeals for the Fifth Circuit, U.S. Court of Appeals for the D.C. Circuit, U.S. District Court for the District of Columbia, U.S. District Court for the District of Maryland

COMMUNITY SERVICE & OTHER ACTIVITIES

Lead Plaintiff, *George et al. v. Haslam et al.*, civil rights lawsuit filed in U.S. District Court in M.D. Tenn. (Nov. 2014; trial scheduled for March 2016)

Amicus Brief, *Williams-Yulee v. The State Bar of Florida*, U.S. Supreme Court (OT 2014).

- Quoted in Justice Ginsburg's concurring opinion, *Williams-Yulee v. Florida Bar*, No. 13-1499,

Planned Parenthood of Middle and Eastern Tennessee,
Board of Directors, 2010-present (Vice Chair 2011-2013, Chair 2014-2015)
Founders Society, 2009-present

Vote No on 1 Campaign, Strategy Committee Co-Chair, 2014, and frequent spokesperson (including television commercial and interviews).

Big Brothers Big Sisters of Middle Tennessee, Big Sister, 2012-present

Napier Enhanced Option Elementary School, Family Resource Center Volunteer, 2014-present

Southern Methodist University, 20th Reunion Committee Co-Chair/Giving Chair 2009

Updated: January 2016